

Dec-19-2007 09:50pm From-

T-702 P.001/002 F-232

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DMITRIY SHOUTOV and  
NATALIA SHUTOVA,

Plaintiffs,

v.

ANDREA J. QUARANTILLO, et al.,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1-2-08

ECF Case

07 Civ. 8403 (JSR)

STIPULATION AND ORDER  
OF DISMISSAL

WHEREAS, on September 27, 2007, plaintiffs Dmitry Shoutov and Natalia Shoutova commenced this action by filing their Complaint for Relief in the Nature of a Mandamus, seeking relief for an alleged failure of U.S. Citizenship and Immigration Services ("USCIS") timely to adjudicate plaintiffs' applications (the "Applications") for lawful permanent residence;

WHEREAS, on December 7, 2007, USCIS granted the Applications and plaintiffs are awaiting receipt of documents evidencing their permanent resident status;

NOW, THEREFORE, IT IS STIPULATED AND AGREED, by and between the undersigned counsel for the parties appearing in this matter, that:

- (1) Plaintiffs' claims are dismissed with prejudice, except as provided in paragraph
- (2) below, and without costs or attorney's fees to any party.

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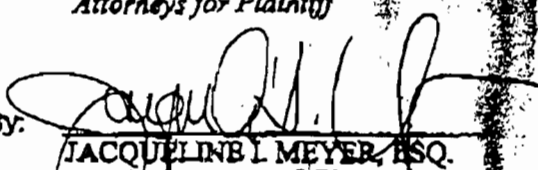
(2) At any time within thirty days of the entry of this stipulation as an Order of the Court, plaintiffs may reopen this case and restate their complaint by filing a notice with the Clerk of the Court. Defendants reserve the right subsequent to such a reopening and reinstatement, to move to dismiss the complaint on any basis, including mootness resulting from USCIS's granting of the Applications.

(3) This stipulation contains the entire agreement between the parties, and no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

Dated: New York, New York  
December 19, 2007

HODGSON RUSS LLP  
Attorneys for Plaintiff

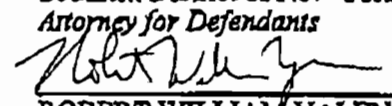
By:

  
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Dated: New York, New York  
December 19, 2007

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SO ORDERED.

Dated: New York, New York  
December 20, 2007

  
HON. JED S. RAKOFF  
United States District Judge